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OFFICE OF PETITIONS

In re Application of :
Darrow et al. :
Application No. 10/083,245 : **DECISION ON PETITION**
Filed: February 25, 2002 :
Attorney Docket No. U 013888-7 :

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed May 1, 2007, to revive the above-identified application.

The petition is **GRANTED**.

This above-identified application became abandoned for failure to file a proper reply to the final Office Action of October 12, 2005. The final Office Action set a three (3) month shortened statutory period for reply. An amendment after final Office was filed on December 9, 2005. An Advisory Action mailed on August 17, 2006 informed petitioner the application was not placed in condition for allowance. Accordingly, this application became abandoned on January 13, 2006. A Notice of Abandonment was mailed on June 28, 2006. Petitions under 37 CFR 1.181 were dismissed on October 12, 2006 and April 27, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$1500.00, and (3) an adequate statement of unintentional delay.

37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Since the statement appearing in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the required statement. Petitioner must notify the Office if this is **not** a correct reading of the statement appearing in the petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3215.

This application is being referred to Technology Center AU 1624 for appropriate action by the Examiner in the normal course of business on the reply received

A handwritten signature in black ink, appearing to read "Charlema Grant", with a stylized flourish at the end.

Charlema Grant
Petitions Attorney
Office of Petitions